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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of:

Moody, D. J. *et al.*

Application No: 10/563,459

Filed: July 10, 2006

Title: *Process and Intermediates Useful in  
the Preparation of Statins,  
Particularly Atorvastatin*

Art Unit: 1626

Examiner: Lambkin, D. C.

Docket No. **HGX-004.01**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 23313-1450

**REQUEST TO ISSUE CORRECTED FILING RECEIPT**

Examiner Lambkin:

A Request to Associate Customer Number and Request for Change of Docket Number (*attached as Exhibit A*) were filed with the U. S. Patent and Trademark Office On March 21, 2007, to correct the Power of Attorney designation on the Official Filing Receipt dated November 16, 2006 (*attached as Exhibit B*) from “**Dana Gordon – 44719**” to “**The patent practitioners associated with Customer Number 25181**”, and also to change the Attorney Docket Number from **UDX-004.01** to **HGX-004.01**. Although the Customer Number and Attorney Docket Number were updated on Private PAIR on the USPTO website, a Corrected Filing Receipt was not subsequently issued.

Please issue a Corrected Filing Receipt which reflects the corrected Power of Attorney Customer Number and Attorney Docket Number.

Should there be any questions concerning this request, the Examiner is invited to contact the undersigned at (617) 832-1000.

Respectfully Submitted,

Dated: August 17, 2007

Patent Group  
Foley Hoag LLP  
155 Seaport Boulevard  
Boston, MA 02210-2600  
Tel: (617) 832-1000  
Fax: (617) 832-7000

/Dana M. Gordon/  
Dana M. Gordon  
Reg. No. 44,719  
Attorney for Applicants

## Electronic Acknowledgement Receipt

EFS ID:	1610202
Application Number:	10563459
International Application Number:	
Confirmation Number:	8027
Title of Invention:	Process and intermediates useful in the preparation of statins, particularly atorvastatin
First Named Inventor/Applicant Name:	David John Moody
Customer Number:	25181
Filer:	Dana M. Gordon
Filer Authorized By:	
Attorney Docket Number:	UDX-004.01
Receipt Date:	21-MAR-2007
Filing Date:	10-JUL-2006
Time Stamp:	13:25:58
Application Type:	U.S. National Stage under 35 USC 371

## Payment information:

Submitted with Payment	no
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## File Listing:

Document Number	Document Description	File Name	File Size(Bytes)	Multi Part (.zip)	Pages (if appl.)
1	Miscellaneous Incoming Letter	HGX004_01_REQUEST_TO_ASSOCIATE_CUSTOMER_NUMBER.pdf	105105	no	1

Warnings:

**Information:**

2	Miscellaneous Incoming Letter	HGX004_01_REQUEST_FOR_CHANGE_OF_DOCKET_NUMBER.pdf	97858	no	1
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**Warnings:****Information:**

Total Files Size (in bytes):	202963
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This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

**New Applications Under 35 U.S.C. 111**

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

**National Stage of an International Application under 35 U.S.C. 371**

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

**New International Application Filed with the USPTO as a Receiving Office**

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Moody, D. J. *et al.*

Application No: 10/563,459

Filed: July 10, 2006

Title: *Process and Intermediates Useful in the Preparation of Statins, Particularly Atorvastatin*

Art Unit: 1626

Examiner: Lambkin, D. C.

Docket No. HGX-004.01

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 23313-1450

**REQUEST TO ASSOCIATE CUSTOMER NUMBER**

Please recognize all the practitioners associated with Customer Number 25181, which currently includes:

Beth E. Arnold, Reg. No. 35,430  
Janann Y. Ali, Reg. No. 54,958  
Isabelle M. Clauss, Reg. No. 47,326  
Denise W. DeFranco, Reg. No. 36,401  
Stephen B. Deutsch, Reg. No. 46,663  
Michael J. DiVerdi, Reg. No. 51,620  
James Flaherty, Reg. No. 52,895

Robert W. Gauthier, Reg. No. 35,153  
Dana M. Gordon, Reg. No. 44,719  
Scott E. Kamholz, Reg. No. 48,543  
Hilary Dorr Lang, Reg. No. 51,917  
DeAnn F. Smith, Reg. No. 36,683  
Philip C. Swain, Reg. No. 32,376  
Jacob I Wasserman, Reg. No. 56,929  
Jennifer A. Zarutskie, Reg. No. 50558

As associate agents and attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Please direct all written and telephonic communications to the undersigned at The Patent Group, Foley, Hoag, LLP, 155 Seaport Blvd., Boston, MA 02210-2600. **Customer No: 25181**

Respectfully Submitted,

Dated: March 21, 2007

Patent Group  
Foley Hoag LLP  
155 Seaport Boulevard  
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Tel: (617) 832-1000  
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/Dana M. Gordon/  
Dana M. Gordon  
Reg. No. 44,719  
Attorney for Applicants

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Docket No. **HGX-004.01**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 23313-1450

**REQUEST FOR CHANGE OF DOCKET NUMBER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

Sir:

Effective immediately, please change the change the Docket Number of the above-referenced patent application to: **HGX-004.01**.

After the change, please issue a Corrected Filing Receipt.

Respectfully Submitted,

Date: March 21, 2007

Patent Group  
Foley Hoag LLP  
World Trade Center West  
155 Seaport Blvd.  
Boston, MA 02210-2600

/Dana M. Gordon/  
Dana M. Gordon, Ph.D.  
Attorney for Applicants  
Reg. No. 44,719  
Tel. (617) 832-1000  
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**EXHIBIT B****UNITED STATES PATENT AND TRADEMARK OFFICE**

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/563,459	07/10/2006	1626	1830	<del>USX</del> -004.01 HGx		15	7

**CONFIRMATION NO. 8027****FILING RECEIPT**

\*OC000000021198539\*

25181  
 FOLEY HOAG, LLP  
 PATENT GROUP, WORLD TRADE CENTER WEST  
 155 SEAPORT BLVD  
 BOSTON, MA 02110

Date Mailed: 11/16/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

**Applicant(s)**

David John Moody, Falkland, SCT, UNITED KINGDOM;  
 Jonathan William Wiffen, Huddersfield, UNITED KINGDOM;

**Assignment For Published Patent Application**

Avectia Pharmaceuticals Limited, Blackley, UNITED KINGDOM

**Power of Attorney:**

~~Dana Gordon 44749~~ 25181

**Domestic Priority data as claimed by applicant**

This application is a 371 of PCT/GB04/03206 07/23/2004

**Foreign Applications**

UNITED KINGDOM 0317393.7 07/25/2003  
 UNITED KINGDOM 0406760.9 03/26/2004

If Required, Foreign Filing License Granted: 11/12/2006

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/563,459**

Projected Publication Date: 02/22/2007

**Non-Publication Request:** No

**Early Publication Request:** No

**Title**

Process and intermediates useful in the preparation of statins, particularly atorvastatin

**Preliminary Class**

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## **PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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### **LICENSE FOR FOREIGN FILING UNDER Title 35, United States Code, Section 184 Title 37, Code of Federal Regulations, 5.11 & 5.15**

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The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where

the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

#### **NOT GRANTED**

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